

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Steven Hollis Staggs,

Plaintiff,

v.

Spartanburg Police Department;
Spartanburg County Detention Center; and
Chuck Wright,

Defendants.

C/A No. 1:22-cv-338-JFA-SVH

ORDER

Plaintiff Steven Hollis Staggs (“Plaintiff”), a self-represented prisoner, brings this action pursuant to 42 U.S.C. § 1983. (ECF No. 1). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for pretrial proceedings.

After reviewing the complaint and record of this case, the Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation (“Report”). (ECF No. 24). Within the Report, the Magistrate Judge opines that Plaintiff’s action should be dismissed with prejudice for failure to prosecute the complaint.

The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

On February 8, 2022, Plaintiff was notified of his duty to keep the Court advised of his current address and that failure to comply with the order if his address changed could result in the dismissal of his complaint for violating the order. (ECF No. 7). The Magistrate Judge issued a previous Report and Recommendation on April 8, 2022, (ECF No. 17) that was returned as undeliverable. (ECF No. 23). Plaintiff failed to file any responses or objections pursuant to the designated time frame as issued in the Report. (ECF No. 24).

A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. *See* 28 § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

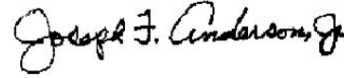
Here, Plaintiff has failed to keep the Court updated on his current address and has failed to file any responses or object to the Report. Therefore, this Court is not required to give an explanation for adopting the recommendation. A review of the Report indicates that the Magistrate Judge correctly concluded that Plaintiff's complaint should be dismissed with prejudice for failure to prosecute the claim pursuant to 41(b) of the Federal Rules of Civil Procedure.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds that the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by

reference. (ECF No. 24). Consequently, Plaintiff's complaint is dismissed with prejudice.

The first Report (ECF No. 17) is subsequently dismissed as moot.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

May 23, 2022
Columbia, South Carolina

Joseph F. Anderson, Jr.
United States District Judge